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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEJANDRO GALVAN-SILVESTRE, JR.,

Defendant.

CASE NO. 1:22-cr-00234-ADA-BAM

STIPULATION REGARDING CONTINUANCE
AND EXCLUDABLE TIME PERIODS UNDER
SPEEDY TRIAL ACT; FINDINGS AND ORDER

DATE: May 10, 2023

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on May 10, 2023.
2. By this stipulation, defendant now moves to continue the status conference until July 12, 2023, and to exclude time between May 10, 2023, and July 12, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports produced in electronic form. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) On October 4, 2022, the government provided a plea offer to the defendant.

c) Counsel for defendant desires additional time to review discovery, conduct further investigation, review the government's proposed plea offer with the defendant, and review the transcripts of recent sentencing hearings in similar cases.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 10, 2023 to July 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

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1 IT IS SO STIPULATED.

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3 Dated: April 27, 2023

PHILLIP A. TALBERT
United States Attorney

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5 /s/ KAREN A. ESCOBAR
KAREN A. ESCOBAR
6 Assistant United States Attorney

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9 Dated: April 27, 2023

10 /s/ CHRISTINA M.
CORCORAN
11 CHRISTINA M. CORCORAN
Counsel for Defendant
12 ALEJANDRO GALVAN-
13 SILVESTRE, JR.

14
15 **ORDER**

16 IT IS SO ORDERED that the status conference is continued from May 10 2023, to **July 12, 2023,**
17 **at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant to 18
18 U.S.C. § 3161(h)(7)(A), B(iv).

19 IT IS SO ORDERED.

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21 Dated: **April 28, 2023**

/s/ *Barbara A. McAuliffe*
22 UNITED STATES MAGISTRATE JUDGE